

Chapter 28B.101 RCW

Educational Opportunity Grant Program

RCW Sections

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RCW 28B.101.005 Finding – Intent.

The legislature finds that many individuals in the state of Washington have attended college and received an associate of arts or associate of science degree, or the equivalent, but are placebound.

The legislature intends to establish an educational opportunity grant program for placebound students who have completed an associate of arts or associate of science degree, or the equivalent, in an effort to increase their participation in and completion of upper-division programs.

RCW 28B.101.010 Program Created.

The educational opportunity grant program is hereby created to serve placebound financially needy students by assisting them to obtain a baccalaureate degree at public and private institutions of higher education approved for participation by the higher education coordinating board.

RCW 28B.101.020 Definition – Eligibility.

(1) For the purposes of this chapter, "placebound" means unable to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors.

(2) To be eligible for an educational opportunity grant, applicants must be placebound residents of the state of Washington as defined in RCW 28B.15.012(2) (a) through (d), who: (a) Are needy students as defined in RCW 28B.10.802(3); and (b) have completed the associate of arts or associate of science degree or the equivalent. A placebound resident is one who may be influenced by the receipt of an enhanced student financial aid award to complete a baccalaureate degree at an eligible institution. An eligible placebound applicant is further defined as a person who would be unable to complete a baccalaureate course of study but for receipt of an educational opportunity grant.

RCW 28B.101.030 Administration of Program – Payments to Participants.

The higher education coordinating board shall develop and administer the educational opportunity grant program. The board shall adopt necessary rules and guidelines and develop criteria and procedures to select eligible participants in the program. Payment shall be made directly to the eligible participant periodically upon verification of enrollment and satisfactory

progress towards degree completion.

RCW 28B.101.040 Use of Grants.

Grants may be used by eligible participants to attend any public or private college or university in the state of Washington that is accredited by an accrediting association recognized by rule of the higher education coordinating board for the program and that complies with eligibility criteria established by rule of the higher education coordinating board. The participant shall not be eligible for a grant if it will be used for any programs that include religious worship, exercise, or instruction or to pursue a degree in theology. Each participating student may receive up to two thousand five hundred dollars per academic year, not to exceed the student's demonstrated financial need for the course of study.

Residency Statute Excerpt for Educational Opportunity Grant Program

RCW 28B.101 Educational Opportunity Grant

The purposes of RCW 28B.101.005 through 28B.101.040 are to establish the principles upon which the state of Washington Educational Opportunity Grant program, will assist financially needy, placebound students domiciled in Washington to obtain the opportunity of attending an eligible institution of higher education. RCW 28B.101.020 defines Washington residents as those defined in RCW 28B.15.012 (2) (a) through (d).

RCW 28B.15.012 Classification as resident or nonresident student – Definitions

The term "resident student" shall mean:

- (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational;
- (b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;
- (c) A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;
- (d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year.

Chapter 250-70 WAC
Educational Opportunity Grant Program
Last Update: 9/03

WAC

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WAC 250-70-010 Purpose.

Recognizing that Washington state experiences low participation rates at the upper-division level within postsecondary education, the legislature has authorized the educational opportunity grant program.

The purpose of the educational opportunity grant program is to serve eligible placebound financially needy Washington residents who have completed an associate of arts or associate of science degree, or the equivalent, enabling them to participate in and complete upper-division study at eligible institutions approved for participation by the higher education coordinating board.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-010, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-010, filed 7/20/90, effective 8/20/90.]

WAC 250-70-020 Program definitions.

(1) "Placebound" shall mean unable to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors.

(2) "Placebound resident" shall mean a person who, because of family or employment commitments, health concerns, monetary need, or other similar factors, would be presumed unable to complete an upper-division course of study but for receipt of an educational opportunity grant. A placebound resident is one who may be influenced by the receipt of an enhanced student financial aid award to attend an eligible institution approved for participation in the program by the higher education coordinating board.

(3) "Demonstrated financial need" shall mean the difference between the budgetary cost to the student attending the institution of postsecondary education and the total applicant resources which the institutional financial aid officer determines can reasonably be expected to be available to the student for meeting such costs.

(4) "Needy student" shall mean those students as defined in RCW 28B.10.802(3), and as

otherwise defined by the board.

(5) "Washington resident or resident student" shall mean an individual who at the time of application for an educational opportunity grant satisfies the requirements of RCW 28B.15.012 (2) (a) through (d) and board-adopted rules and regulations pertaining to the determination of state residency.

(6) "Associate of arts or associate of science degree or the equivalent" shall mean coursework comparable to admission at the junior level or above by the enrolling institution.

(7) "Upper division" shall mean baccalaureate coursework beyond an associate of arts degree or its equivalent.

(8) "Award amount" shall mean an award amount up to \$2,500 per academic year per student, prorated per term of attendance, paid periodically in equal installments, not to exceed the student's demonstrated financial need.

(9) "Academic year" shall generally mean a nine-month period (three quarters or two semesters).

(10) "Board" shall mean the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-020, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-020, filed 7/20/90, effective 8/20/90.]

WAC 250-70-030 Institutional eligibility.

To qualify as an eligible institution for purposes of this program an institution shall:

(1) Be a public or private postsecondary educational institution in the state of Washington accredited by the Northwest Association of Schools and Colleges; or a branch campus of a member institution accredited by Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Southern Association of Colleges and Schools, or Western Association of Schools and Colleges that is eligible for federal student financial aid assistance, have operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years in the state of Washington, and have an annual enrollment of at least seven hundred full-time equivalent students.

(2) Complete an agreement to participate acknowledging its responsibility to administer the educational opportunity grant program according to prescribed rules and regulations and guidelines, and otherwise give evidence of its eligibility, if necessary.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-030, filed 9/25/03, effective 10/26/03. Statutory Authority: Chapters 28B.80 and 28B.101 RCW. 93-19-024, § 250-70-030, filed 9/3/93, effective 10/4/93. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-030, filed 7/20/90, effective 8/20/90.]

WAC 250-70-040 Student eligibility.

A placebound student is eligible for an educational opportunity grant if the additional financial resource would alleviate the placebound condition by allowing the student access to education at an eligible institution. For a student to be eligible for an educational opportunity grant he or she must:

- (1) Be a "financially needy student" as determined by the higher education coordinating board in accordance with RCW 28B.10.802(3);
- (2) Be a resident of the state of Washington;
- (3) Be enrolled or accepted for enrollment at least half time, with priority to full-time enrollment, as an upper-division undergraduate student at an eligible baccalaureate institution in the state of Washington;
- (4) Be a placebound resident;
- (5) Have completed an associate of arts or associate of science degree or the equivalent;
- (6) Not be required by the institution to be involved in a program that includes any religious worship, exercise or instruction;
- (7) Make satisfactory academic progress as determined by the institution; and
- (8) An otherwise eligible student may not apply for this grant to continue enrollment at an institution where he or she is presently attending.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-040, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-040, filed 7/20/90, effective 8/20/90.]

WAC 250-70-050 Application procedure.

Placebound students shall initially apply directly to the higher education coordinating board and shall complete an application and other materials as provided and required by the board.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-050, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-050, filed 7/20/90, effective 8/20/90.]

WAC 250-70-060 Recipient selection and award.

In selecting grant recipients, the board will give priority to those students who, but for this grant, evidence that they could not pursue a baccalaureate degree.

- (1) Determination. The higher education coordinating board shall determine student eligibility and awards under this program. The board will convene as necessary an advisory committee to work with the board on matters of program policy and administration including, but not limited

to: Award screening, selection criteria, administrative procedures, program publicity, and efforts to recruit placebound students.

(2) Standards. Assuming program eligibility criteria are met, the following additional selection criteria, among others, may be employed in ranking candidates and awarding grants:

(a) Evidence that, but for this grant, a placebound student could not pursue baccalaureate study at an eligible institution of the student's choice;

(b) Evidence of financial hardship or significant educational debt; and

(c) Information describing the student's educational goals and plans.

A student may ultimately choose an eligible institution different from that referenced in his or her application, provided the board and the receiving eligible institution can verify student eligibility criteria such as placebound status, certification of enrollment in an eligible academic program, documented financial need and satisfactory academic progress status. To deliver an incentive for recipients, the institution agrees to package the grant as "self-help."

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-060, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-060, filed 7/20/90, effective 8/20/90.]

WAC 250-70-070 Grant amount disbursement limits.

Grant disbursement shall be made to the eligible enrolled student in equal amounts per term upon institutional verification of the student's enrollment in an eligible program, proof of financial need and satisfactory academic progress. The award amount shall not exceed \$2,500 per academic year. The value of the grant shall be the same regardless of the institution selected. Students may be awarded grants for up to eight quarters (or equivalent) of study. Renewability will not be forfeited if a student stops out for a single term during the academic year. However, students who fail to attend for more than one regular academic term during the period of their award will be required to reapply for the grant. If they are reawarded, previous terms of enrollment during which they received the grant will count toward their total eligibility.

The educational opportunity grant, when combined with the state share of other state-appropriated student financial aid programs, shall not exceed an amount equal to the total maximum student expense budget at the public research institutions plus the current average state appropriation per student for operating expense in the public institutions.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-070, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-070, filed 7/20/90, effective 8/20/90.]

WAC 250-70-080 Program administration.

(1) Administering agency. The higher education coordinating board shall administer the educational opportunity grant program. The staff of the board, under the direction of the executive director, will manage the administrative functions relative to the program and shall be authorized to enter into agreement with eligible institutions for participation in the program.

(2) Maintenance of effort. State funds provided under this program are not to be used to supplant federal, state or institutional grants which would otherwise be available to support the student's attendance.

(3) Reports. The higher education coordinating board will obtain periodic reports from institutions describing the number of educational opportunity grant recipients selecting that institution, the socio-economic profile of such recipients in attendance at each participating institution, and other information about the student's academic program pertinent to these rules.

(4) Oversight and appeals. If an institution fails to maintain eligibility for the program as defined in WAC 250-70-020, or if the board determines that an institution has failed to comply with program rules and regulations or guidelines, the board may suspend, terminate, or place conditions upon the institution's participation in the program. Satisfactory resolution of a dispute will be attempted by board staff. If satisfactory resolution cannot be achieved by board staff, the institution initiating the appeal may request a hearing with the board, which shall take action on the appeal. Eligible applicants may request in writing a review of any adverse decision affecting them by requesting such review within 20 days of the adverse decision, addressed to the executive director of the higher education coordinating board. In both circumstances, the appeal shall be conducted consistent with the terms of the Administrative Procedure Act, chapter 34.05 RCW.

[Statutory Authority: RCW 28B.240 and .370 [28B.80.240 and 28B.80.370] and 28B.101.030. 03-20-047, § 250-70-080, filed 9/25/03, effective 10/26/03. Statutory Authority: 1990 c 288. 90-16-023, § 250-70-080, filed 7/20/90, effective 8/20/90.]

WAC 250-70-090 Student responsibilities.

(1) A student must meet the academic progress required under terms of this program.

(2) A student who has incorrectly submitted information on his or her application, shall be required to repay grant funds to the program.

(3) Any student who has obtained an educational opportunity grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

[Statutory Authority: 1990 c 288. 90-16-023, § 250-70-090, filed 7/20/90, effective 8/20/90.]

WAC 250-70-100 Repayment option.

It is the intent of this legislation that nothing in this act shall prevent or discourage an individual from making an effort to repay any state financial aid awarded during his or her collegiate career.

[Statutory Authority: 1990 c 288. 90-16-023, § 250-70-100, filed 7/20/90, effective 8/20/90.]